

**SUBSTITUTE TRUSTEE'S DEED**

WHEREAS, under date of the 6th day of August, 1996, Paula Jo Roberson, executed a certain Deed of Trust to Thomas F. Baker, IV, Trustee, for the purpose of securing the debt and obligations therein described, which Trust Deed is recorded in Book 852 at Page 238, in the office of the Chancery Clerk of DeSoto County, Mississippi; and

WHEREAS, First Tennessee Bank National Association, the holder and the owner of the debt secured by said Deed of Trust, having for reasons satisfactory to itself, under the provisions of said Trust Deed, by instrument recorded in said Chancery Clerk's Office in Book 1685 at Page 0150, named and appointed the undersigned as Substitute Trustee in the place of the said Thomas F. Baker, IV; and

WHEREAS, default was made in the payment of the debt and the obligation secured by said Trust Deed and the undersigned, as Substitute Trustee, was requested to advertise and sell the property conveyed by said Trust Deed in compliance with provisions thereof; and

WHEREAS, the undersigned, as Substitute Trustee, did, in compliance with the provisions of said Trust Deed, advertise for sale the property conveyed by same, the advertisement of sale having been published in *The DeSoto Times Today*, a newspaper published in Hernando, DeSoto County, Mississippi, in the issues of May 4, 2004, May 11, 2004, May 18, 2004, and May 25, 2004, of said newspaper, said sale having been advertised for May 26, 2004, between the hours of 11:00 a.m. and 4:00 p.m., at the East Door of the DeSoto County courthouse in Hernando, Mississippi, at which time and place the property was offered for sale and sold; and

WHEREAS, the highest and best bid of said property was then and there made by **First Tennessee Bank National Association**, to wit: a bid of Seven Thousand and No/100 Dollars (\$7,000.00) for said property, which bid was then and there accepted by the undersigned as Substitute Trustee.

NOW, THEREFORE, for the consideration named, and for and in consideration of the compliance with the terms of said bid, the undersigned, David A. Kirkscey, as Substitute Trustee, has bargained and sold, and does by these presence bargain, sell and convey unto the said **First Tennessee Bank National Association**, the property advertised and sold as hereinabove recited, situated, lying and being in the County of DeSoto, State of Mississippi, and more particularly described as follows:

Lot 26, Section A, Country Village West Subdivision, in Section 3, Township 2 South, Range 6 West, DeSoto County, Mississippi, as shown on plat recorded in Plat Book 47, Page 24, in the office of the Chancery Clerk of DeSoto County, Mississippi.

This being the same property conveyed to Paula Jo Roberson, Unmarried, from Wilbur Lee, by deed dated 9/29/95 and recorded 10/24/95 in Deed Book 292, Page 149, in the Chancery Clerk's Office of DeSoto County, Mississippi.

Parcel No. 2062-0306.0-00026.00

Property Address: 5945 Blocker Street, Olive Branch, Mississippi 38654

TO HAVE AND TO HOLD, unto the said **First Tennessee Bank National Association**, its heirs and assigns, in fee simple forever.

The undersigned Substitute Trustee believes the title hereby conveyed to be good, but warrants same against the lawful claims of all persons claiming by, through and under a conveyance from the undersigned as Substitute Trustee, under the provisions of the above-described Trust Deed, and not further or otherwise.

STATE MS. - DESOTO CO. *col/2*  
FILED *lee*

MAY 27 4 25 PM '04

BK 473 PG 144  
DAVIS CH. CLK.

BK 0473PG0145

THIS INSTRUMENT PREPARED BY:  
UNDER THE SUPERVISION OF:

David A. Kirkscey, Attorney at Law  
Joe McIlvain, Attorney at Law (MSB #100294)

PLEASE RETURN TO:

David A. Kirkscey, Attorney at Law  
90 Harbor Town Square, Suite 106  
Memphis, TN 38103

901-523-1930

This sale is made subject to the lien of the Deed of Trust of record in Book 770, Page 301, in the said Chancery Clerk's Office; and any and all restrictive covenants and easements of record, as well as any and all outstanding and unpaid taxes, prior liens and/or encumbrances of record including any liens for real estate taxes.

WITNESS the signature of the undersigned, David A. Kirkscey, Substitute Trustee, this the 27 day of May, 2004.

David A. Kirkscey  
SUBSTITUTE TRUSTEE

STATE OF TENNESSEE  
COUNTY OF SHELBY

On this 27<sup>th</sup> day of May, 2004, before me, a Notary Public in and for said State and County, duly commissioned and qualified, personally appeared David A. Kirkscey, Substitute Trustee, to me known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same as his free act and deed.

WITNESS my hand and Notarial Seal at office the day and year above written.

**My Commission Expires  
January 26, 2005**

David S. Fisher  
NOTARY PUBLIC

PROPERTY ADDRESS: 5945 Blocker Street, Olive Branch, Mississippi 38654

GRANTEE: First Tennessee Bank  
Attn: Mr. Matt Neel  
607 Market Street, Suite 802  
Knoxville, TN 37902  
(800) 354-4538, Ext. 2

GRANTOR: David A. Kirkscey, Substitute Trustee  
90 Harbor Town Square, Suite 106  
Memphis, TN 38103  
(901) 523-1930

SEND TAX BILLS TO: First Tennessee Bank  
Attn: Mr. Matt Neel  
607 Market Street, Suite 802  
Knoxville, TN 37902

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STATE OF TENNESSEE  
COUNTY OF SHELBY

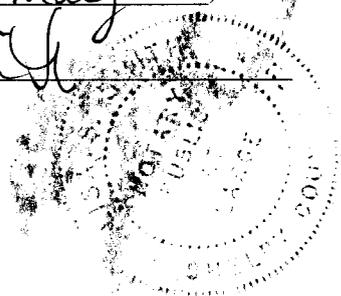
I, or we, hereby swear or affirm that, to the best of affiant's knowledge, information and belief, the actual consideration for this transfer or value of the property transferred, whichever is greater, is \$7,000.00, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

David A. Kirkscey  
AFFIANT

SUBSCRIBED AND SWORN TO before me this 27<sup>th</sup> day of May, 2004.

David S. Fisher  
NOTARY PUBLIC

**My Commission Expires  
January 26, 2005**



# PROOF OF PUBLICATION

THE STATE OF MISSISSIPPI  
COUNTY OF DESOTO

**Lisa Fuller** personally appeared before me the undersigned in and for said County and State and states on oath that she is the **CLERK** of the DeSoto Times Today, a newspaper published in the town of Hernando, State and County aforesaid, and having a general circulation in said county, and that the publication of the notice, a copy of which is hereto attached, has been made in said paper 4 consecutive times, as follows, to-wit:

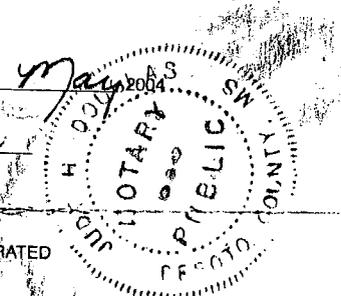
Volume No. 109 on the 4 day of May, 2004  
 Volume No. 109 on the 11 day of May, 2004  
 Volume No. 109 on the 18 day of May, 2004  
 Volume No. 109 on the 25 day of May, 2004  
 Volume No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 2004

*Lisa Fuller*

Sworn to and subscribed before me, this 25 day of May, 2004

BY Judy N. Douglas

NOTARY PUBLIC STATE OF MISSISSIPPI AT LARGE  
MY COMMISSION EXPIRES: JANUARY 16, 2005  
BONDED THRU DIXIE NOTARY SERVICE, INCORPORATED



A. Single first insertion of 546 words @ .12 \$ 65.52  
 B. 3 subsequent insertions of 1638 words @ .10 \$ 163.80  
 C. Making proof of publication and depositing to same \$ 3.00  
 TOTAL PUBLISHER'S FEE: \$ 232.32

**SUBSTITUTE TRUSTEE'S NOTICE OF SALE**  
 WHEREAS, on August 6, 1996 Paula Jo Roberson, executed a Deed of Trust to Thomas F. Baker, IV, Trustee, for the benefit of First Tennessee Bank National Association, which Deed of Trust is filed for record in Book 852, Page 238, in the land records in the office of the Chancery Court of Desoto County at Hernando, Mississippi; and  
 WHEREAS, said Deed of Trust authorized the appointment and substitution of another Trustee in the place of the Trustee named in said Deed of Trust or subsequently substituted therein, and First Tennessee Bank National Association, appointed and substituted David A. Kirksey or Joe McIlvain, Jr. as Substitute Trustee therein, by Substitution of Trustee dated March 20, 2003 and duly filed for record in the office of the aforesaid Chancery Clerk in Book 1685, Page 0150; and  
 WHEREAS, default having been made in the terms and conditions of said Deed of Trust, and the entire indebtedness secured thereby having been declared to be due and payable pursuant to the terms of said Deed of Trust, and First Tennessee Bank National Association, the holder of the note and Deed of Trust, having requested the undersigned Substitute Trustee to do, I will, on May 26, 2004, offer for sale at public outcry, between the hours of 11:00 a.m. and 4:00 p.m., at the East Door of the DeSoto County Courthouse at Hernando, Mississippi, for cash to the highest and best bidder, the following described land and property lying and being situated in Desoto County, Mississippi, and being more particularly described as follows, to-wit:  
 Lot 26, Section A, Country Village West Subdivision, in Section 3, Township 2 South, Range 6 West, DeSoto County, Mississippi, as shown on plat recorded in Plat Book 47, Page 24, in the office of the Chancery Clerk of DeSoto County, Mississippi.  
 This being the same property conveyed to Paula Jo Roberson, Unmarried, from Wilbur Lee, by deed dated 9/29/95 and recorded 10/24/95 in Deed Book 292, Page 149, in the Chancery Clerk's Office of DeSoto County, Mississippi.  
 Parcel No. 2082-0306-0-00026-00  
 Property address: 5945 Blocker Street, Olive Branch, MS 38654.  
 This property address is presumed to be correct; however, the sale will be transacted by legal description only.  
 If the highest bidder cannot pay the bid within twenty-four (24) hours of the sale, the next highest bidder will be deemed the successful bidder, at Trustee's option.  
 Title is believed to be good, but I will convey only such title as is vested in me as Substituted Trustee. Sale is subject to prior mortgage, in accordance with Trust Deed recorded in Book 770 at Page 301, in the land records in the office of the Chancery Court of Desoto County at Hernando, Mississippi; sale is further subject to any and all restrictive covenants and easements of record, as well as any and all outstanding and unpaid taxes, prior liens and/or encumbrances of record including any liens for real estate taxes.  
 This is an attempt to collect a debt and any information obtained will be used for that purpose.  
 /s/ David A. Kirksey  
 DAVID A. KIRKSEY, SUBSTITUTE TRUSTEE  
 /s/ Joe McIlvain, Jr.  
 JOE McILVAIN, JR., SUBSTITUTE TRUSTEE  
 Publication dates: May 4, 2004, May 11, 2004, May 18, 2004, and May 25, 2004

- On the Square- Hernando, MS 38632 • 662.429.6397 • Fax: 662.429.5229